

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

1. (Currently amended) An isolated ATP-binding cassette protein having the following properties:
  - i. conferring mitoxantrone resistance to S1-M1-80 human colon carcinoma cells when expressed in the cells; and,
  - ii. ~~specifically binding to polyclonal antibodies which specifically bind to a member of the group of proteins depicted in SEQ ID NO:2~~ being encoded by a nucleic acid capable of under stringent hybridization conditions specifically hybridizing to a polynucleotide sequence, the antisense sequence of the polynucleotide sequence encoding the amino acid sequence of SEQ ID NO:2, wherein the stringent hybridization conditions comprise a sodium ion concentration of from about 0.01 to about 1.0 M, a pH of from about 7.0 to about 8.3, and a temperature of about 60°C; and
  - iii. having a molecular weight between about 70 kDa and about 75 kDa.
2. (Currently amended) The ATP-binding cassette protein of claim 1 wherein the protein has at least 95% identity to the amino ~~acids~~ acid sequence depicted in SEQ ID NO:2.
- 3-20. (Canceled)
21. (Previously presented) The ATP-binding cassette protein of claim 1, wherein the protein comprises the amino acid sequence of SEQ ID NO:2.
22. (New) The ATP-binding cassette protein of claim 1, wherein the antisense sequence comprises the nucleotide sequence of SEQ ID NO:1.

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PATENT

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23. (New) The ATP-binding cassette protein of claim 1, wherein the nucleic acid comprise the nucleotide sequence of SEQ ID NO:1.